

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SUSAN CAROLINE SOMERS,

Plaintiff,

CIVIL ACTION NO. 10-11123

v.

DISTRICT JUDGE LAWRENCE P. ZATKOFF

CLAYTON TOWNSHIP, et. al,

MAGISTRATE JUDGE MARK A. RANDON

Defendants.

**ORDER DENYING PLAINTIFF'S MOTION FOR
PRODUCTION OF DOCUMENTS (DKT. NO. 40)**

Before the Court is Plaintiffs' motion for the production of documents and for costs (Dkt. No. 40). The Court has reviewed the motion, Defendants' response and heard oral argument on November 27, 2012. Being otherwise fully advised;

IT IS ORDERED that, for the reasons stated on the record, Plaintiff's motion is **DENIED**, except that Plaintiff's motion is **DENIED WITHOUT PREJUDICE** as to Defendants' cell phone records. More specifically, Plaintiff may move for the production of Defendants' cell phone records, if Defendants' motion for summary judgment is denied.

No costs or fees awarded to either side.

SO ORDERED.

s/Mark A. Randon

MARK A. RANDON

UNITED STATES MAGISTRATE JUDGE

Dated: November 27, 2012

Certificate of Service

I hereby certify that a copy of the foregoing document was served on the parties of record on this date, November 27, 2012, by electronic and/or first class U.S. mail.

s/Melody R. Miles

Case Manager to Magistrate Judge Mark A. Randon